

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

CHRISTOPHER SALAZAR,
Plaintiff,

v.

BAY, LTD., A BERRY COMPANY,
BERRY OPERATING COMPANY, LLC,
SHELL OFFSHORE, INC., ET AL
Defendants.

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CIVIL ACTION NO. 2:22-cv-00306

**CHET MORRISON CONTRACTORS, LLC'S (IMPROPERLY NAMED AS CHET
MORRISON CONTRACTORS, INC.) ANSWER
TO PLAINTIFF CHRISTOPHER SALAZAR'S ORIGINAL PETITION**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, Defendant, Chet Morrison Contractors, LLC, improperly named as Chet Morrison Contractors, Inc. ("CMC") Defendant in the above-entitled and numbered cause, and files this Answer to Plaintiff Christopher Salazar's ("Plaintiff") Original Petition and would respectfully show the court the following:

**I.
ANSWER**

1. CMC is without sufficient information to either admit or deny the allegations and/or averments in numbered Paragraph 1 of Plaintiff's Original Petition and therefore denies same.

2. CMC is without sufficient information to either admit or deny the allegations and/or averments in numbered Paragraph 2 of Plaintiff's Original Petition and therefore denies same.

3. CMC is without sufficient information to either admit or deny the allegations and/or averments in numbered Paragraph 3 of Plaintiff's Original Petition and therefore denies same.

4. CMC is without sufficient information to either admit or deny the allegations and/or averments in numbered Paragraph 4 of Plaintiff's Original Petition and therefore denies same.

5. CMC is without sufficient information to either admit or deny the allegations and/or averments in numbered Paragraph 5 of Plaintiff's Original Petition and therefore denies same.

6. CMC is without sufficient information to either admit or deny the allegations and/or averments in numbered Paragraph 6 of Plaintiff's Original Petition and therefore denies same.

7. CMC denies that it is named Chet Morrison Contractors, Inc. as the company was named Chet Morrison Contractors, LLC in August, 2022 and admits that the registered agent is Chester F. Morrison, Jr. Except as expressly admitted herein, CMC denies all allegations and/or averments in Paragraph 7 of Plaintiff's Original Petition.

8. CMC is without sufficient information to either admit or deny the allegations and/or averments in numbered Paragraph 8 of Plaintiff's Original Petition and therefore denies same.

9. CMC denies the allegations and/or averments in numbered Paragraph 9 of Plaintiff's Original Petition.

10. CMC denies all allegations and/or averments in numbered Paragraph 10 of Plaintiff's Original Petition.

11. CMC denies all allegations and/or averments in numbered Paragraph 11 of Plaintiff's Original Petition.

12. CMC denies all allegations and/or averments in numbered Paragraph 12 of Plaintiff's Original Petition.

13. CMC denies all allegations and/or averments in numbered Paragraph 13 of Plaintiff's Original Petition.

14. The allegations contained in Paragraph 8 (misnumbered and duplicative) of Plaintiff's Original Petition are denied.

15. CMC denies all allegations and/or averments in numbered Paragraph 9

(misnumbered and duplicative) of Plaintiff's Original Petition.

16. CMC denies all allegations and/or averments in numbered Paragraph 10 (misnumbered and duplicative) of Plaintiff's Original Petition.

17. CMC denies all allegations and/or averments in numbered Paragraph 11 (misnumbered and duplicative) of Plaintiff's Original Petition.

18. CMC denies all allegations and/or averments in numbered Paragraph 12 (misnumbered and duplicative) of Plaintiff's Original Petition.

19. CMC denies all allegations and/or averments in numbered Paragraph 13 (misnumbered and duplicative) of Plaintiff's Original Petition.

20. CMC denies all allegations and/or averments in numbered Paragraph 14 of Plaintiff's Original Petition.

21. CMC denies all allegations and/or averments in numbered Paragraph 15 of Plaintiff's Original Petition.

22. CMC denies all allegations and/or averments in numbered Paragraph 16 of Plaintiff's Original Petition.

23. CMC denies all allegations and/or averments in numbered Paragraph 17 of Plaintiff's Original Petition.

24. CMC denies all allegations and/or averments in numbered Paragraph 18 of Plaintiff's Original Petition.

25. CMC denies that all conditions precedent to Plaintiff's claims for relief have been performed or have occurred.

26. CMC denies the remaining allegations and/or averments and damages sought in the Prayer section and any other unnumbered paragraph of Plaintiff's Original Petition.

II.
AFFIRMATIVE & OTHER DEFENSES

For further answer, if such be necessary, CMC asserts the following defenses to Plaintiff's claims:

27. Plaintiff's Original Petition fails to state a claim against CMC upon which relief may be granted.

28. For further answer, if such be necessary, Plaintiff is not entitled to recover attorney's fees, costs, interest, or penalties from CMC in this matter.

29. For further answer, if such be necessary, Plaintiff's claims are barred, in whole or in part, because all of the conditions precedent and statutory requirements for the asserted claims have not been met.

30. For further answer, if such be necessary, CMC asserts that if Plaintiff suffered injuries or damages as alleged in his petition, then the damages resulted from acts or omissions or parties or person, including other parties, whether named herein or not, for whose acts or omissions CMC had no control over and for whom CMC is not responsible. Thus, CMC is not liable to Plaintiff for any payments and/or expenses incurred as alleged in Plaintiff's Original Petition.

31. For further answer, if such be necessary, CMC seeks limitation of liability in accordance with the provisions of 46 U.S.C. section 183 et seq. and Rule F of the Supplemental Rules for Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

32. CMC reserves the right to amend its Answer to Plaintiff's Original Petition, including asserting any additional affirmative defenses, after it has had an opportunity to more closely investigate these claims as is its right and privilege under the Federal Rules of Civil Procedure.

**III.
PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendant Chet Morrison Contractors, LLC prays that its Answer to Plaintiff Christopher Salazar's Original Petition be deemed good and sufficient, and that after due proceedings Plaintiff take nothing against Chet Morrison Contractors, LLC and for such other and further relief, both general and special, at law and in equity, to which Chet Morrison Contractors, LLC shows itself justly entitled.

Respectfully submitted,

KEAN MILLER LLP

By: /s/ Timothy W. Strickland

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**ATTORNEYS FOR CHET MORRISON
CONTRACTORS, LLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been forwarded to all counsel of record by electronic transmission on the 3RD day of January 2023.

/s/Timothy W. Strickland

Timothy W. Strickland